Addendum 2013-1 to the Final Merced to Fresno Project Section EIR/EIS

1.0 Introduction

Addendum 2013-1 to the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement* (Final EIR/EIS) (Authority and FRA April 2012) has been prepared by the California High Speed Rail Authority in conformance with Public Resources Code §21166 and the Guidelines for California Environmental Quality Act (CEQA) §1500 California Code of Regulations Title 14, Chapter 3. Section 15164, states: "The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Section 15162 stipulates that a subsequent EIR shall be prepared if substantial changes to the project analyzed in the previous EIR or new information of substantial importance would result in new significant environmental effects or a substantial increase in the severity of the previously identified significant impacts. Also a subsequent EIR may be required if mitigation measures previously found as infeasible are now feasible or are substantially different from those analyzed in the EIR and could substantially reduce impacts of the project and the project proponent declines to implement them.

1.1 Background

The California High-Speed Rail Authority (Authority) and Federal Railroad Administration (FRA) prepared the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement* (Final EIR/EIS) (Authority and FRA April 2012). The Authority is the Lead Agency under the California Environmental Quality Act (CEQA), and the FRA is the Lead Agency under the National Environmental Policy Act (NEPA). The Authority Board certified the EIR in May 2012, adopted CEQA Findings of Fact and a Statement of Overriding Considerations,and approved the Merced to Fresno Section. The Authority committed to implementing a Mitigation Monitoring and Reporting Program (MMRP Revision 1, Authority December 2012). The FRA issued a Record of Decision in September 2012, including a Mitigation Monitoring and Enforcement Plan (MMEP).

The Authority is advancing the first segment of the Merced to Fresno HST project to construction—primarily civil trackway construction from Avenue 17 in Madera County south through Downtown Fresno (Construction Package 1). Authorization by the Authority Board to award a construction contract to a design-build contractor is scheduled for June 2013.

Subsequent to adoption of the Final EIR/EIS, the Authority and the City of Fresno collaborated on construction phasing and refinement of project design within the city limits. In response to the city requests, the Authority has modified the W. Olive Avenue and the Belmont Avenue overcrossings to allow them to stay open to through traffic during construction. Both the approved and design refinement overcrossing configurations, including local roadway modifications and property acquisitions, are presented in Section 2.0, Description.

2.0 Description of Design Refinements

The approved project described in the Final EIR/EIS included an overcrossing of the HST alignment at W. Olive Avenue, approximately 2.2 miles north of Downtown Fresno and an overcrossing of Belmont Avenue approximately 1.5 miles north of Downtown Fresno.

W. Olive Avenue Overcrossing

The W. Olive Avenue design refinement shifts the proposed overcrossing 90 feet to the north to allow the existing at-grade crossing to remain in place while the new overcrossing is constructed to maintain through traffic on W. Olive Avenue. The Final EIR/EIS included replacing the existing four-lane W. Olive Avenue at-grade roadway with a new four-lane grade-separated overcrossing of Golden State Boulevard, UPRR, N. Weber Avenue, and the HST alignment on the same alignment as the existing roadway (see Figure 1a). To accommodate the HST tracks, Golden State Boulevard would be closed to through traffic along the east side of Roeding Park, and local traffic would use existing roadways. The intersection of W. Olive Avenue and N. Delno Avenue would be closed to through traffic with a new cul-de-sac installed immediately north of a W. Olive Avenue retaining wall.

The design refinement would shift the alignment of the W. Olive Avenue overcrossing approximately 90 feet north of the original alignment and the N. Delno Avenue proposed cul-de-sac would shift approximately 40 feet north from the Final EIR/EIS configuration. Other than these two modifications, the design refinement would be the same as that analyzed in the Final EIR/EIS. The City of Fresno requested this design refinement to allow the existing at-grade crossing to remain in place while the new overcrossing is constructed (see Figure 1b).

Belmont Avenue Overcrossing

The Final EIR/EIS included replacing the existing four-lane Belmont Avenue undercrossing (also known as the Belmont Subway) with a four-lane overcrossing on the same alignment as the existing roadway (see Figure 2a) eliminating the Belmont traffic circle and associated landscaping. Golden State Boulevard would be closed south of W. Olive Avenue to accommodate the HST alignment, and north-south movements north of the Belmont Circle would be reserved for HST communications and emergency egress. No encroachment into Roeding Regional Park would occur. On the east side of the overcrossing, the N. Farris Avenue "T" intersection at E. Belmont Avenue/N Weber Avenue would change to a "T" intersection at N. Weber Avenue. The existing "T" intersection at N. Harrison Avenue and E. Belmont Avenue would be replaced by a cul-de-sac on N. Safford Street and the existing "T" intersection at N. Safford Avenue and E. Belmont Avenue would remain.

The Belmont Avenue design refinement shifts the final alignment of the overcrossing 70 feet to the north to allow Belmont Avenue to remain open during construction, as requested by the City of Fresno (see Figure 2b). This shift eliminates the connector road from W. Belmont Avenue to N. Wesley Avenue thereby reducing the partial take of commercial properties, including La Tapatia Tortilleria and a vacant motel at the intersection of N. Weber Avenue and N. Thorne Avenue (APN 450-271-21). This shift would necessitate a new frontage road parallel to E. Belmont Avenue to connect the following local roads: N. Weber Avenue to N. Farris Avenue, N. Harrison Avenue, and N. Safford Avenue.

An existing FMFCD detention basin, Basin RR, is located adjacent to the south side of W. Belmont Avenue and the west side of the approved HST alignment. The HST alignment encroaches into Basin RR affecting approximately 0.1 acre of the basin (outside of the area under jurisdiction of Section 404 of the Clean Water Act). Drainage into Basin RR is from a series of local storm drains, including a 96-inch-diameter pipeline that drains the area east of the basin. This pipeline originates at E. Belmont Avenue and N. Farris Avenue, crossing under the UPRR alignment. To accommodate the HST alignment below grade in a retained cut area known as the Fresno Trench, the pipeline would need to be relocated. The design refinement also includes a reconfiguration of Basin RR to take advantage of the existing W. Belmont Avenue road right-of-way. The existing roadway on the north edge of Basin RR would be abandoned by the City of Fresno once the new overcrossing is constructed, and the additional area would be used to create new Basin RR capacity (see Figure 2b). Additional work would occur within Basin RR, including installation of a new storm drain outfall, removal of the existing outfall, and reconfiguration of an existing maintenance access road.

3.0 Environmental Analysis

This addendum provides a summary of the environmental evaluation conducted for the proposed W. Olive Avenue and the Belmont Avenue design refinements. The detailed documentation of the environmental analysis is included in the following memoranda: *Merced to Fresno Section – Environmental Evaluation of the Proposed W. Olive Avenue Design Refinement* (Authority and FRA, May 2013), *Merced to Fresno Section – Environmental Evaluation of the Proposed Belmont Avenue Design Refinement* (Authority and FRA, May 2013), and *Merced to Fresno Section – Cumulative Analysis for the Proposed W. Olive Avenue and Belmont Avenue Design Refinements* (Authority and FRA, May 2013). A discussion of the impacts by resource area is provided in these supporting documents.

There are no changes to environmental impacts on the following resource areas: electromagnetic fields/electromagnetic interference; hydrology and water resources; geology, soils, and seismicity; agricultural lands; and regional growth. These are not further discussed in this summary.

3.1 Construction Impacts

The proposed design refinements would not substantially alter the construction related impacts associated with the project as documented in the Final EIR/EIS. The realignment of the W. Olive Avenue overcrossing 90 feet to the north overcrossing to retain through access on W. Olive Avenue during construction would positively benefit local circulation in the study area by maintaining through access and would not impact the construction activity, scheduling, or duration, but would result in minor changes to the impacted receptors. While the realignment of Belmont Avenue 70 feet to the north to maintain through access on Belmont Avenue during construction would not change the construction activity appreciably, the local roadways changes, basin reconfiguration, and storm drain pipeline reconfiguration associated with this change would have modest construction impacts. The Belmont Avenue realignment would also have positive benefits during construction as it would retain local circulation as requested by the city of Fresno.

The most notable changes to construction impacts would occur in the noise and vibration; public utilities and energy; hazardous materials and wastes; aesthetics and visual resources; and cultural and paleontological resource areas.

Noise and Vibration The W. Olive Avenue design refinement would result in additional construction noise impacts at 16 residences (daytime) and 7 residences (nighttime). There would one less impact at commercial properties with the design refinement due to full acquisition. The Belmont Avenue design refinement would result in additional construction noise impacts at 88 residences (daytime) and 153 residences (nighttime) that would not occur with the Final EIR/EIS design. The Authority has committed to construction noise mitigation measures to reduce the potential construction noise impacts. With the W. Olive Avenue design refinement, there would be one less vibration impact at commercial properties with the design refinement due to new acquisition. The Belmont Avenue design refinement would result in 76 additional construction vibration impacts at residences primarily due to basin and storm drain construction. With mitigation measures, the Final EIR/EIS concluded that all construction noise impacts would be less than significant under CEQA. With the implementation of mitigation measures identified in the Final EIR/EIS, the noise and vibration impacts for the design refinements would be less than significant under CEQA.

Public Utilities and Energy The W. Olive Avenue design refinement would affect 5 more utility lines than the original design would (18 versus 13) and the Belmont Avenue design refinement would impact 8 more utility lines (20 versus 12) than would the original design. As with the original design, planned temporary disruption of utility services would be minimized and would be subject to interruption notification procedures as described in the Final EIR/EIS. The planned relocation of the 96-inch-diameter storm drain from Basin RR would not result in service disruptions because the existing storm drain would remain operational until the new storm drain is fully installed. Construction impacts to utilities would

continue to be less than significant with the design refinements when taken within the context of the overall utility relocation required.

Hazardous Materials and Wastes The Belmont Avenue design refinement footprint abuts properties (410 N. Thorne Avenue Calaveras Materials/Former Stewart and Nuss properties) and 144 and 250 E. Belmont Avenue with Conceivable (i.e., possible) Potential Environmental Concerns (PECs). These properties were not identified in the Final EIR/EIS. Ground-disturbing project construction activities could disturb undocumented contamination in soil or groundwater, and human health could be affected, as described in the Final EIR/EIS. With the incorporation of standard BMPs, avoidance measures, and coordination with regulatory agencies, the potential effects from construction in close proximity to PEC sites would be less than significant under CEQA, consistent with the conclusions in the Final EIR/EIS.

Aesthetics and Visual Resources The W. Olive Avenue overcrossing would have fewer construction period and project visual impacts on Roeding Park than the overcrossing evaluated in the Final EIR/EIS, however the shifting of the alignment to the north would increase impacts on some adjacent residences. The northern edge of the design change overcrossing would be approximately 90 feet closer to the back side of residences that face W. Hammond Avenue and the front yards and entryways of some residences on N. Delno Avenue. The refined W. Olive Avenue overcrossing would be approximately 120 feet from the southern (back) side of the closest N. Hammond Avenue residences, which are lined with walls, fences, and garages, obscuring ground-level views to the south. Some construction activities would be visible beyond the fences, walls, and garages from these residences and also from some residences on N. Delno Avenue.

The northern edge of the Belmont Avenue design refinement overcrossing would be approximately 70 feet closer to residences along N. Ferris Avenue, N. Harrison Avenue, and N. Safford Avenue than the overcrossing evaluated in the Final EIR/EIS. The new access road and adjacent sidewalks that would access these three streets would be at-grade and south of the property lines of the residences, approximately 25 feet from the closest residence. The construction of the design refinement would be visible from nearby residences as with the design evaluated in the Final EIR/EIS.

Construction visual impacts would be temporary and due to the minor shifting from the alignments previously analyzed would be less than significant under CEQA, consistent with the aesthetic and visual resource impacts identified in the Final EIR/EIS.

Impacts on air quality; biological resources and wetlands; safety and security; socioeconomic, communities, and environmental justice; station planning, land use, and development; and cultural and paleontological resources would not be appreciable and the impacts after mitigation would still be considered less than significant with the design refinements. No new mitigation measures would be required to reduce impacts to less than significant with the design refinements.

3.2 Project Impacts

The proposed design refinements would not substantially alter the project impacts as documented in the Final EIR/EIS. Some limited changes to project impacts would occur in the noise and vibration; public utilities and energy, biological resources and wetlands; station planning, land use, and development; parks, recreation, and open space; aesthetics and visual resources; and cultural and paleontological resource areas.

Noise and Vibration Because traffic on local roads provides only a minor contribution to overall noise levels (compared to HST noise contributions), relocation of the local roads would not cause substantial changes in noise levels and a net benefit would be gained by eliminating existing freight train horn noise at at-grade crossings. With the shift of the overcrossing to the north in the design refinements, the noise from traffic on the overcrossing would be closer to some residences and farther away from other sensitive noise receptors.

For the W. Olive Avenue design refinement, noise from existing roadways and rail sources modified by the original project would be reduced by up to 1.8 decibel (dB) Ldn compared to results quantified in the Final EIR/EIS. With the design refinement, eight receptors east of the alignment identified in the Final EIR/EIS as having severe noise impacts (0.1 dB over the severe criterion) would experience less noise impacts and 16 receptors that had moderate impacts (0.1 to 0.4 dB over the moderate criterion) would no longer be affected. Future noise conditions at Roeding Park would be 0.2 dB less.

With the design refinement for Belmont Avenue, noise from existing roadways and rail sources would increase up to 1.3 dB Ldn compared to results quantified in the Final EIR/EIS. With the design refinement, three new receptors would be subject to moderate noise impacts, with an increase of 1 dB. Future noise conditions would be 0.1 dB less at Roeding Regional Park in the design refinement study area, however, severe noise impacts would be unchanged in other portions of Roeding Regional Park. There would be no new significant noise impacts under CEQA resulting from the W. Olive Avenue or Belmont Avenue design refinement, but overall noise impacts associated with the design refinement would still remain significant under CEQA consistent with the findings in the Final EIR/EIS.

The three sound barriers proposed to mitigate noise impacts would remain as proposed in the Final EIR/EIS, MMRP, and MMEP and would still meet the reasonableness and cost-effectiveness requirements set forth in the Final EIR/EIS.

Public Utilities and Energy The design refinement would alter an existing stormwater basin south of Belmont Avenue (Basin RR) and relocate an associated storm drain. The design refinement would increase the capacity of Basin RR. Because the capacity would slightly increase and because the storm drain would be rerouted (and not eliminated), impacts on utilities resulting from the design refinement would be similar to those described in the Final EIR/EIS for utility conflicts. The Final EIR/EIS concluded these effects would be less than significant under CEQA and they would remain less than significant with the design change.

Biological Resources and Wetlands Moving the W. Olive Avenue overcrossing alignment approximately 90 feet north of the alignment approved in the Final EIR/EIS would increase impacts on industrial/commercial habitats (+8.54 acres), with minor increases in impacts on developed (+0.07 acres) and transportation corridor (0.69 acres) habitats. The temporary impact on commercial/industrial habitat would be reduced by 7.68 acres. The Belmont Avenue design refinement would result in an increase in the direct permanent impacts identified in the Final EIR/EIS for some urban and ruderal habitat classifications. The shifting of the Belmont Avenue overcrossing 70 feet north of the alignment approved in the Final EIR/EIS would result in a increase in permanent impacts on urban, commercial/industrial, and transportation corridor land uses (+8.08 acres). The temporary impact on these land uses would be reduced by 0.5 acres. The permanent impact on ruderal habitat would increase by 1.96 acres and on constructed basin habitat by 0.2 acres. Both the ruderal and constructed basin habitat areas are known to be used for foraging by Swainson's hawk (a state threatened species) and are within the range of a known nest site. The Authority will seek coverage for these increased impacts under a Section 2081 incidental take permit from the California Department of Fish and Wildlife and will comply with applicable permit requirements. Additionally, urban areas—including commercial/industrial land uses; transportation corridors; and ruderal vegetation—provide limited habitat potential for bird species protected by the Migratory Bird Treaty Act (MBTA). The Final EIR/EIS stated that, with implementation of mitigation measures, impacts would be less than significant under CEQA.

The Belmont Avenue design refinement would result in 0.02 acres of direct permanent impacts on the constructed basin under Section 404 jurisdiction. The Authority would seek a permit from USACE for impacts on the basin and will comply with applicable permit requirements. The Final EIR/EIS concluded that compliance with regulatory requirements would reduce the effects to less than significant under CEQA and the design refinement would not result in a change to this conclusion.

Station Planning, Land Use, and Development The W. Olive Avenue design refinement would result in the conversion of an additional acre to a transportation-related use compared to the Final EIR/EIS. The Belmont Avenue design refinement would result in an increase of approximately 0.48 acre of property

needed that was not identified in the Final EIR/EIS. The Final EIR/EIS identified 12 parcels east of the UPRR corridor that had temporary land use impacts that would become permanent impacts with the Belmont Avenue design refinement. The temporary impacts identified in the Final EIR/EIS required the acquisition and relocation of the buildings, but the properties could be redeveloped after the construction period. With the design refinement, these parcels would be permanently converted to a transportation-related land use. The design refinement would result in an additional 10.06 acres of permanent conversion because of the increased footprint, but would not cause a change in pattern or intensity of land uses incompatible with adjacent land uses, which is primarily a mixture of commercial- and industiral-related uses. The Final EIR/EIS concluded that the permanent conversion of land to transportation-related use would be less than significant under CEQA and these conclusions would not change for the design refinements.

Parks, Recreation, and Open Space The W. Olive Avenue design refinement would alter slightly the project impacts described in the Final EIR/EIS analysis due to the shift of the overcrossing 90 feet farther away from Roeding Park, thereby reducing noise impacts on the park and creating an opportunity to screen the eastern part of the overcrossing from the park with additional plantings in newly freed up land. The Belmont Avenue design refinement would shift the overcrossing closer to Roeding Regional Park, but this would not result in any park acquisitions, changes in visual character, or increased noise effects. The existing vegetation and trees within the park would screen the overcrossing, but the overcrossing would be visible to users along the edge of park. The existing visual quality rating would remain the same (moderate to moderately low). The Final EIR/EIS concluded that impacts on Roeding Park, with mitigation, would be less than significant under CEQA. The conclusions related to impacts on Roeding Park would not change as a result of the design refinements.

Aesthetics and Visual Resources The shifting of the W. Olive Avenue overcrossing away from Roeding Park would be beneficial to the park. The design refinement would provide additional areas for landscaping that would further screen views of the tallest part of the retaining wall north of Roeding Park (the eastern half). The presence of the design refinement overcrossing would not lower the existing moderate visual quality from this part of Roeding Park.

The W. Olive Avenue design refinement overcrossing would be visible to varying degrees and change the character of some views from the residences that face N. Hammond Avenue and the front yards and entryways of some nearby residences on N. Delno Avenue. The design refinement overcrossing would be less noticeable from the residences on W. Hammond Avenue than it would be if the residences faced south toward W. Olive Avenue. However, the design refinement overcrossing would not lower the existing visual quality category of these views (moderate to moderately low) by one or more categories.

The Belmont Avenue design refinement overcrossing would be located approximately 70 feet closer to the residences that face N. Ferris Avenue, N. Harrison Avenue, and N. Safford Avenue than the overcrossing evaluated in the Final EIR/EIS and approximately 90 feet from the closest residence. In areas where the design refinement overcrossing would require retaining walls and would be adjacent to residences, aesthetic treatments for the walls will be implemented in consultation with the City of Fresno.

The Final EIR/EIS concluded that impacts on aesthetics and visual resources at the overcrossings would be less than significant under CEQA because the Final EIR/EIS design would not lower the existing visual quality by one or more quality categories. The changes proposed in the design refinements would not change this conclusion.

Cultural and Paleontological Resources Although the design refinement would shift the W. Olive Avenue overcrossing to the north, historic Roeding Park would still experience an adverse effect during HST operations. This adverse effect on the park setting would be attributable to noise caused by HSTs and to changes to views from within the park because of the W. Olive Avenue overcrossing. The shift of W. Olive Avenue to the north with the design refinement would cause a small reduction in vehicular traffic noise levels at Roeding Park. With the design refinement, effects would continue to be adverse because noise from HSTs would still affect the park. Parts of the W. Olive Avenue overcrossing would be

seen from areas of the park. The Final EIR/EIS concluded that visual and noise impacts on historic architectural resources, with mitigation, would be reduced from moderate intensity to a lower intensity and would be less than significant under CEQA, consistent with the findings in the Final EIR/EIS.

Impacts on transportation, air quality, biological resources and wetlands; hazardous materials and wastes; safety and security; cultural and paleontological resources; and division or diplacements of communities; would not be appreciable and the impacts after mitigation would still be considered less than significant with the design refinements.

3.3 Cumulative Impacts

The impacts of the design refinements for W. Olive Avenue and Belmont Avenue do not change the conclusions of the Final EIR/EIS as to whether the project's incremental contribution to the impacts in each resource area are cumulatively considerable.

4.0 Conclusions

The proposed W. Olive Avenue and Belmont Avenue design refinements were analyzed and the assessment determined that the impacts associated with the design refinements were similar or less than those described in the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement*. There are no newly identified significant environmental impacts associated with the design refinements nor are there increases in the severity of previously identified significant impacts. There are no changes to the mitigation measures required as a result of the design refinements. Pursuant to the criteria of Public Resources Code §21166 and CEQA Guidelines §15162, no major revisions are necessary to the Final EIR/EIS due to changes in the project, changes in circumstances, or due to new information. It is therefore determined that circulation of a subsequent or supplemental EIR/EIS is not required. The findings of the *California High-Speed Train (HST) Project, Merced to Fresno Section Final Environmental Impact Report/Environmental Impact Statement* are still applicable.

Figures

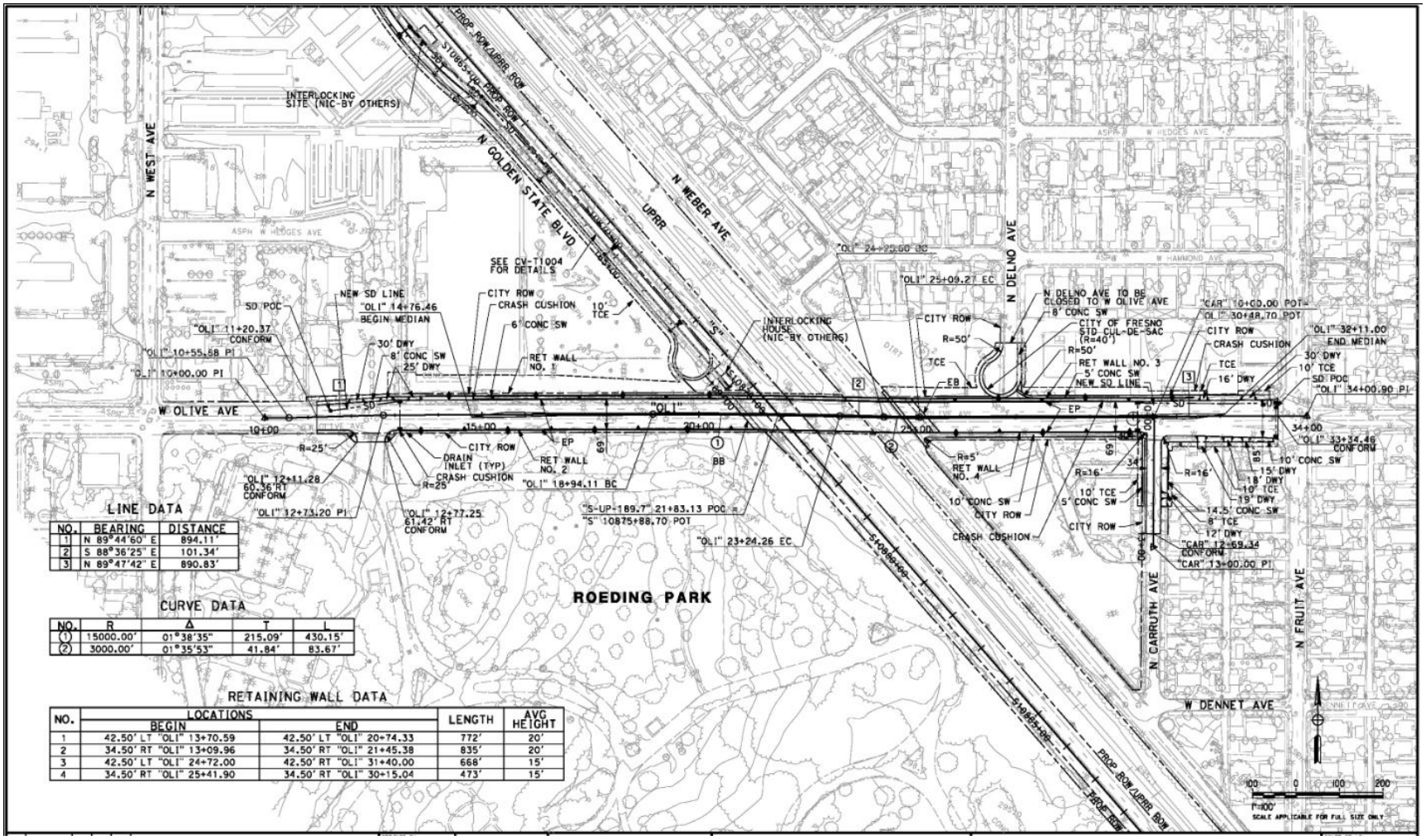

Figure 1a
W. Olive Avenue Final EIR/EIS – Design Drawing

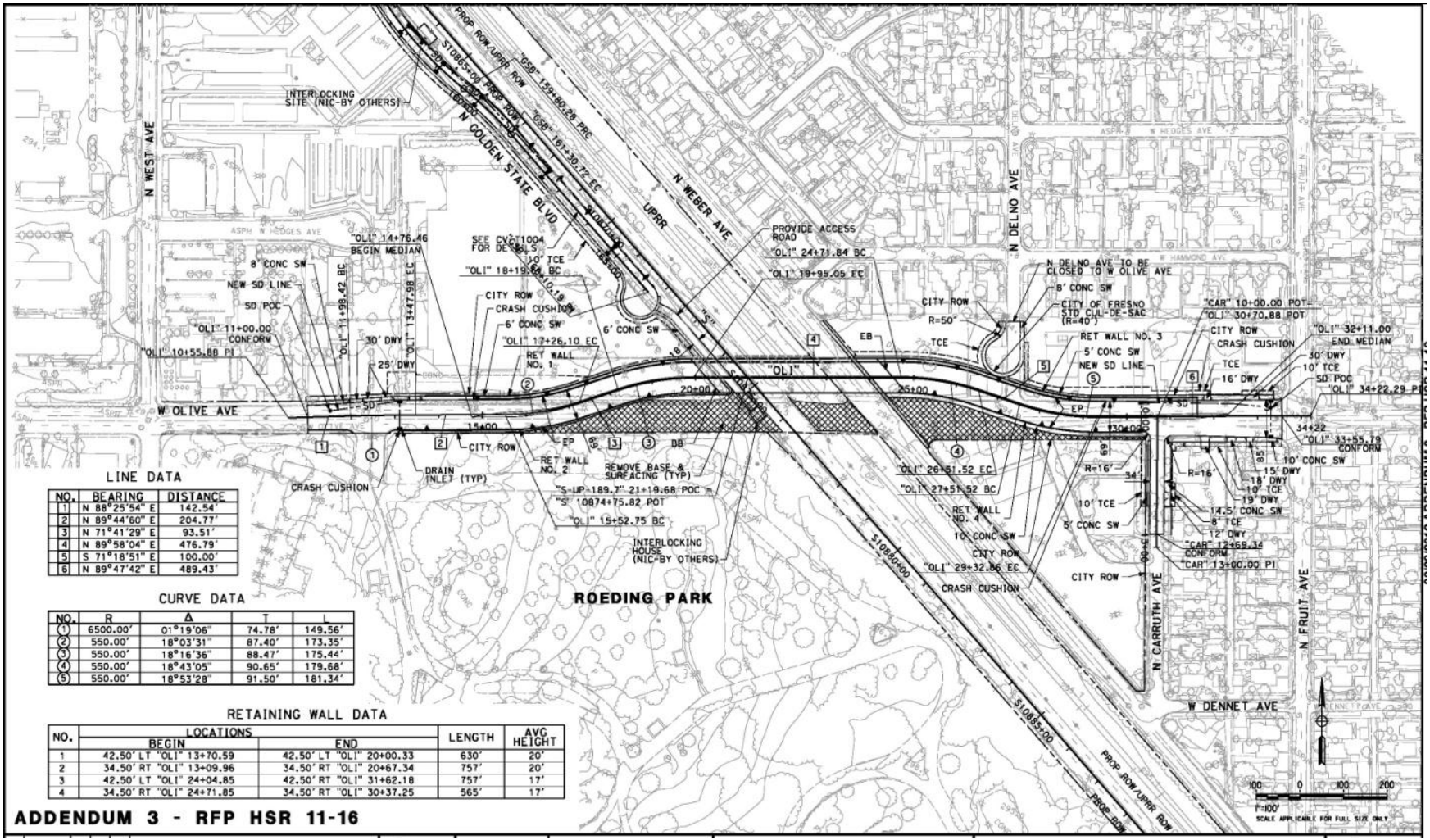

Figure 1b
W. Olive Avenue Design Refinement – Design Drawing

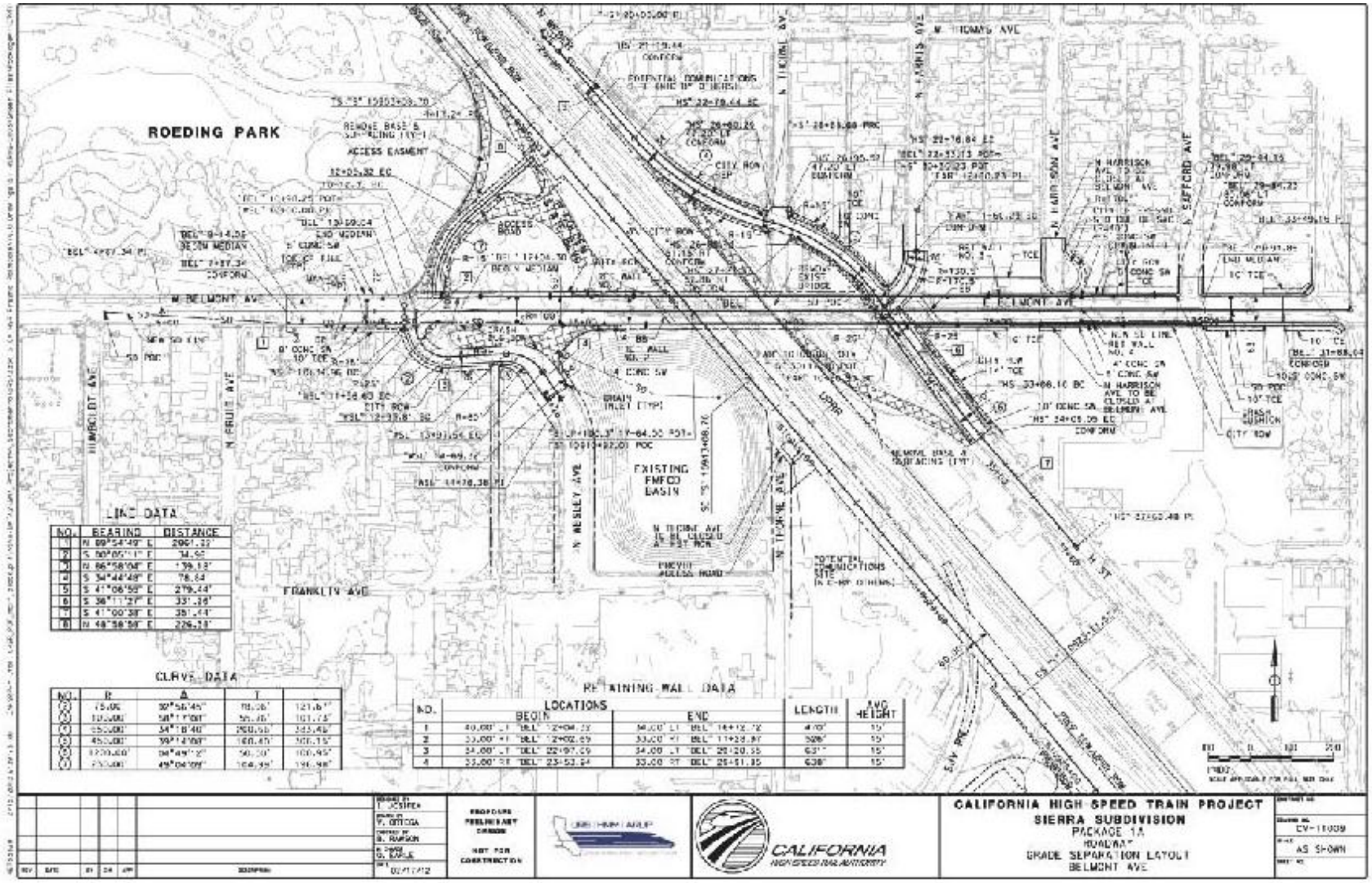

Figure 2a
Belmont Avenue Final EIR/EIS – Design Drawing

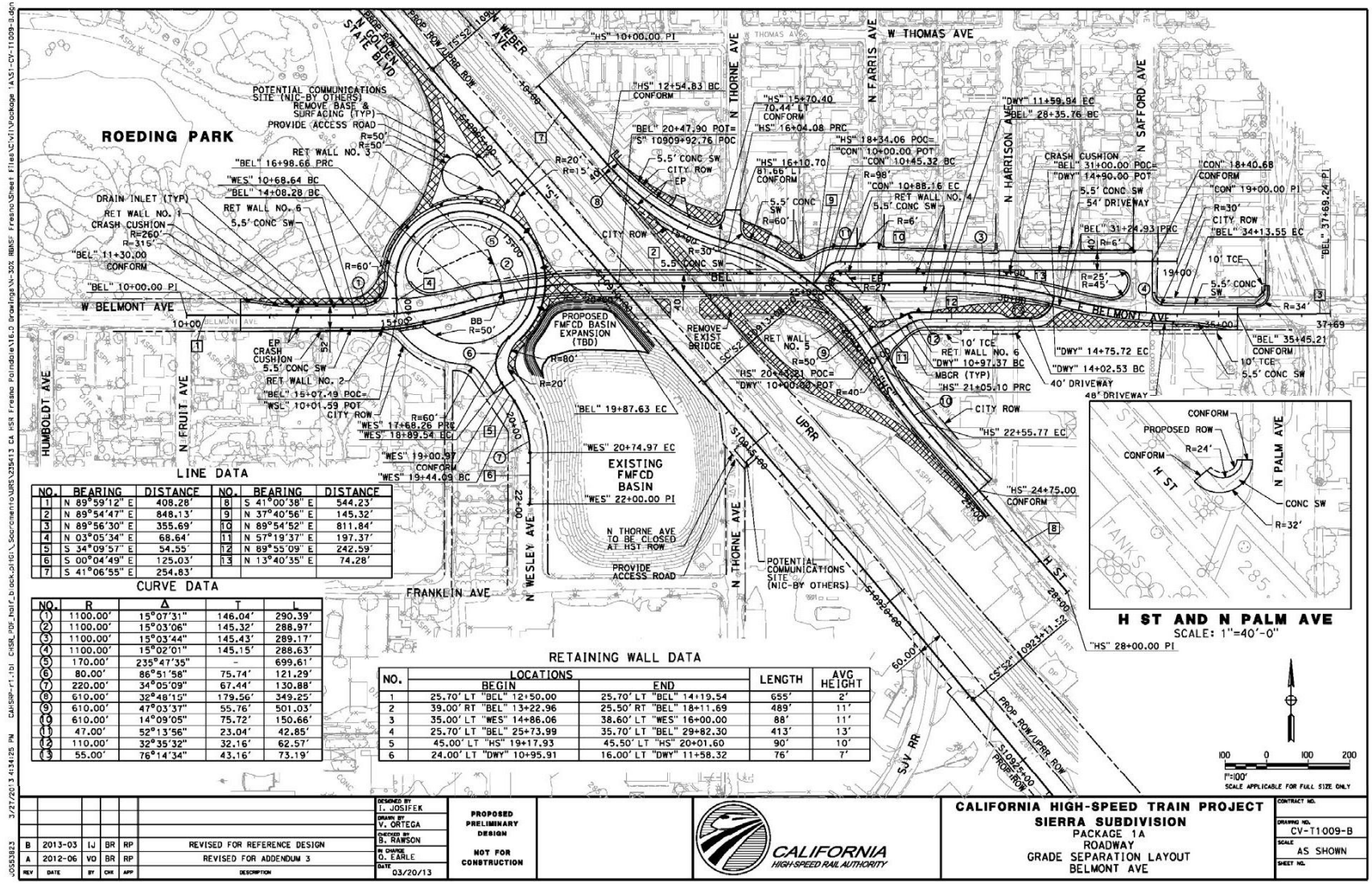

Figure 2b
Belmont Avenue Design Refinement – Design Drawing